

Section 2.1 Required Area or Space

- A. Required area or space: No lot or lots in common ownership and no yard, court, parking area or other space shall be so divided, altered or reduced as to make such area or dimension less than the minimum required under this Ordinance. If already less than the minimum required under this Ordinance, said area or dimension shall not be further divided or reduced.
- B. Accessory buildings, including enclosed porches and garages, attached to a dwelling or other main building shall be deemed a part of such buildings for the purpose of determining yard space, areas and setbacks.

Section 2.2 Projections Into Yards

Unenclosed porches, steps or similar structures may project into a required front or rear yard for a distance not to exceed ten (10) feet.

Section 2.3 Height Exceptions

Subject to other provisions of law, the height requirements of all zones shall be subject to the following exceptions; parapet walls not exceeding four (4) feet in height, chimneys, cooling towers, elevator bulkheads, fire towers, gas tanks, grain elevators, silos, stacks, stage towers and scenery lofts, water tanks, monuments, cupolas, domes, spires, penthouses, housing ; necessary mechanical appurtenances, and similar structures.

Section 2.4 Screening

- A. Unless specifically provided for elsewhere in this Ordinance, in all zones in which residences are a permitted use, no Screening may exceed a height of six (6) feet. No Screening that exceeds a height of four (4) feet may be erected, planted, or placed closer than ten (10) feet from any public right of way.
- B. It shall be unlawful to construct, plant or place any Screening in any public right of way.
- C. No Screening shall be erected, planted, or placed on any corner lot, or at any driveway entrance located on a parcel, which obstructs the view of a vehicle approaching, or located at, an intersection or driveway entrance.
- D. Barbed wire fences are prohibited in all zoning districts, except where necessary and permitted under the Generally Accepted Agricultural and Management Practices adopted by the Michigan Department of Agriculture and Rural Development and/or its successor agencies.

Section 2.5 Corner Obstructions

No plantings shall be established or maintained on any corner lot which will obstruct the view of a vehicle driver approaching the intersection. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street property lines extended. This shall not prohibit the locating of shrubbery less than thirty (30) inches in height in said area.

Section 2.6 Landscaping

- A. All lots and/or parcels of land upon which a building is erected shall be finish graded with topsoil of sufficient quantity and quality to sustain the growth of perennial grass, except for driveways, walks, and required parking areas. Seeding or sodding shall be the minimum acceptable landscaping of any said lots or parcels of land. This minimum landscaping shall be completed within one (1) year following the completion of the construction project or occupancy, whichever occurs first, and shall be reasonably maintained thereafter.
- B. The area between the street paving or curb line and the property line or sidewalk with the exception of driveways and walkways, shall be used exclusively and maintained as landscaped area.

Section 2.7 Street Access

Any lot of record created after the effective date of this Ordinance shall have frontage as required by this Ordinance (Article 12) upon a public street right-of-way or legally recorded access easement.

Section 2.8 Mechanical Appurtenances

Mechanical appurtenances such as blowers, ventilating fans and air conditioning units shall be placed not closer than twelve (12) feet to adjoining properties.

Section 2.9 Essential Public Services

The erection, construction, alteration or maintenance of essential public services shall be permitted as authorized or regulated by law and other ordinances in any use District, it being the intention hereof to exempt such erection, construction, alteration and maintenance from application of this Ordinance, except those which may be considered a danger to the community health, safety and welfare.

Section 2.10 Demolition Permits

No building shall be razed until a permit has been obtained from the Building Inspector who shall be authorized to require a performance bond. Said bond shall be conditioned on the applicant completing the razing within such reasonable period as shall be prescribed in the permit and complying with such regulations as to health and safety including filling excavations and proper termination of utility connections.

Section 2.11 Litter, Rubbish, Junk Storage and Disposal

A. It shall be unlawful for any person to dump rubbish of any kind on any land except in and on such private or public dumping areas approved for this purpose.

Section 2.12 Illegal Dwellings

The use of any portion of the basement of a partially completed building for dwelling or sleeping purposes is forbidden in any Zoning District. Buildings erected after the date of this Ordinance as garages or accessory buildings shall not be occupied for dwelling purposes.

Section 2.13 Excavations or Holes

The construction, maintenance or existence within the Township of any unprotected, unbarricaded, open or dangerous excavations, holes, pits or wells, which constitute a danger or menace to the public health, safety or welfare are hereby prohibited; provided, however, this section shall not prevent any excavation under a permit issued by the Building Inspector or where such excavations are properly protected and posted with warning signs in such manner as approved by the Building Inspector; and provided further, that this section shall not apply to streams, natural bodies of water or to ditches, reservoirs and other such bodies of water created or existing by authority of governmental units or agencies.

Section 2.14 Outdoor-Storage in Residential Areas

The outdoor storage or parking of recreational vehicles including but not limited to special purpose automobiles, boats, floats, rafts, snowmobiles, camping or travel trailers, motorized homes or detachable travel equipment adaptable to light duty trucks is prohibited anywhere on the public street or road right-of-way or on public utility easements or right-of-way. These provisions also apply to utility trailers or trailers used for display or demonstration purposes.

Section 2.15 Principal Use

No lot may contain more than one main building or use, excepting groups of apartment buildings or retail business buildings or other groups of buildings the Zoning Administrator deems to be a main use collectively.

Section 2.16 Swimming Pools

Every person owning land on which there is located a commercially manufactured swimming pool (below ground or above ground) which contains twenty-four (24) inches or more of water in depth at any point, shall erect and maintain thereon a fence or enclosure approved by the Building Inspector either surrounding the property or pool area sufficient to make such swimming pool inaccessible to small children. Such fence or enclosure, including the gates, must not be less than four (4) feet above ground level. All gates must be self latching with latches placed four (4) feet above ground level or otherwise made inaccessible from the outside to small children.

Section 2.17 RESERVED FOR FUTURE EXPANSION

Section 2.18 Accessory Buildings and Uses

- A. Accessory uses and buildings are permitted only in connection with, incidental to and on the same lot with a principal use or building which is permitted in the particular zoning district.

- B. Accessory building/structures shall be erected in accordance with Section 12.1, except that if an accessory building/structure is not permanently affixed to the Lot and is two hundred (200) square feet or less in area and fifteen (15) feet or less in height, the minimum side yard and rear yard setback for said accessory building/structure shall be two (2) feet. All accessory uses and buildings combined shall cover no more than the area indicated in Schedule 12.1.

- C. No detached accessory building shall be located, closer than ten (10) feet to any building or structure.

- D. No more than two (2) accessory buildings are permitted on any lot or parcel located in the LDR (Low Density Residential District), and no more than one (1) accessory building is permitted in the HDR (High Density Residential District).

- E. The size of any accessory building shall be in compliance with Schedule 12.1.

- F. A Certificate of Occupancy, as otherwise required in Section 18.4, shall not be required for any accessory building/structure that is not permanently affixed to the Lot and is two hundred (200) square feet or less in area and fifteen (15) feet or less in height.

Section 2.19 Amateur Radio Antennas, Satellite Dish Antennas and Other Similar Structures

- A. Satellite dish antennas or other similar devices twenty-four (24) inches or less in diameter may be attached to a roof structure, provided that the Building Inspector shall determine that such device is properly anchored. The antenna may not extend more than thirty (30) inches above the roof peak.
- B. Any structure covered in this Section shall require a Building Permit prior to erection. The application for a permit must include construction drawings showing the proposed method of installation, including details on anchoring, fencing and landscaped screens.

Section 2.20 Horses in Residential Zones

Horses may be kept for personal use in the A and LDR Districts subject to the following restrictions (See Section 2.27 Additional Requirements - Keeping of Animals in Florence Township for further information):

- A. The minimum lot size shall be two (2) acres. One (1) horse per each two (2) acres is permitted up to a maximum of five (5) horses.
- B. Stables housing horses are required and shall be located no closer than fifty (50) feet to any adjoining property line. Stables shall be considered an accessory building.

Section 2.21 Non-Conforming Uses

- A. The lawful use of any building or structure and of any land or premises as existing and lawful at the time of enactment of this Zoning Ordinance, or in the case of an amendment of this Ordinance, then at the time of such amendment, may be continued although such use does not conform with the provisions of this Ordinance or amendment.
- B. In the event that any non-conforming use is discontinued for a period of one (1) year any subsequent use shall conform to the uses permitted in the District in which the premises are located. Such determination to be made by the Zoning Administrator.
- C. In the event any non-conforming building or structure shall be damaged by fire, wind or an Act of God or the public enemy and the cost of rebuilding or restoration exceeds one-half (1/2) the value of such building or structure after rebuilding or restoration, such rebuilding or restoration shall be permitted only with the prior approval of the Zoning Board of Appeals which approval shall be granted only upon finding:
 - 1. That such rebuilding or restoration will not substantially extend the probable duration of such non-conforming use, or
 - 2. That circumstances are such that the land previously occupied by such non-conforming use cannot then be reasonably used for a permitted use in that zone.

- D. Structures or uses non-conforming by reason of height and area, parking and loading provisions may only be extended, enlarged, altered, remodeled or modernized provided that all height and area parking and loading provisions are complied with in respect to any extension or enlargement and provided the Building Inspector shall determine that any alteration, remodeling or modernization shall not substantially extend the life of any non-conforming use at the time of the enactment of this ordinance.

- E. No non-conforming use of any land or structure shall hereafter be enlarged or extended except after the approval of the Board of Appeals and which approval shall be granted only upon finding all of the following facts:
 - 1. That the enlargement or extension will not substantially extend the probable duration of such non-conforming use and that all enlargements since the use became non-conforming do not in total exceed fifty (50) percent of the area of the originally non-conforming area.

 - 2. That the enlargement or extension will not become a precedent for other variations in the area.

 - 3. That the enlargement or extension will not interfere with the use of any other properties in the vicinity for the uses for which they have been zoned nor with their use in compliance with all of the provisions of this Ordinance.

- F. The Township may eliminate any and all non-conforming uses it deems in the best interests of the Township by whatever means are provided by law in such cases.

Section 2.22 Home Occupations

- A. Home Occupations are permitted in the A, LDR, HDR and MHP Districts subject to the following requirements noted in subsection C, below. The Zoning Administrator shall ascertain compliance with these requirements prior to approving an Occupancy Permit. Such permit shall be required.

- B. The applicant shall provide the Zoning Administrator with a written certification that the requirements listed in subsection C will be met. Such certification must address each requirement and state the manner in which they will be met.

- C. The following requirements must be met before the Zoning Administrator may approve a home occupation. Failure to maintain compliance will be grounds for revocation of the approval.

1. No person other than members of the immediate family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty (20) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than (1) sign; not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the main building.
4. The home occupation shall be operated in its entirety within the principal dwelling.
5. There shall be no sale of products or services except as are produced on the premises by such home occupation.
6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than a required front yard.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises, if the occupation is conducted in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family residence. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuation in the line voltage off the premises.
8. A single family residence in any zoning district may be used for the instruction of a fine art or craft as a home occupation.
9. A Domestic Animal Rescue may be permitted as a special use home occupation under the following conditions requiring prior approval of the Township Planning Commission:
 - a. The home occupation shall meet all requirements of an “animal protection shelter” as defined and required in Michigan Public Act 287 of 1969 (MCL 287.331, et. seq.) and Section 50 of Public Act 328 of 1931 (MCL 750.50), as well as all state, county and local regulations and ordinances related to “animal protection shelters.”
 - b. Only Domestic Animals, as defined in Section 3.2, shall be maintained and boarded as part of the animal rescue.
 - c. Included with the site plan submitted for the Home Occupation Special Land Use Application must be the maximum number of animals to be placed at the property, and details as to manner and place of animal boarding, food storage and excrement storage and disposal.
 - d. The animal rescue shall be the only home occupation located on the property.
 - e. Any display area and/or windows are prohibited.

- f. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty (20) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- g. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than (1) sign; not exceeding two (2) square feet in area, nonilluminated, and mounted flat against the wall of the main building.
- h. The business operation of the home occupation shall be operated in its entirety within the principal dwelling.
- i. There shall be no sale of products or services of any kind related to the animal rescue or keeping of the animals, except for the charging of a reasonable adoption fee.
- j. All animals are to be properly housed in accordance with Michigan law, including but not limited to: food and water, shelter from the weather, cleanliness, proper disposal of all animal excrement, veterinary assistance and care to assure healthy and active animals and to avoid undue harm.
- k. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall only be in the established driveway of the home. Parking on the street or in the yard is strictly prohibited.
- l. No equipment or processes shall be used in such home occupation which creates noise, vibration, glare, fumes, foul odors, or electrical interference detectable to the normal senses off the premises, if the occupation is conducted in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family residence. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuation in the line voltage off the premises.
- m. The home occupation shall maintain all state required licenses and records and shall provide the Florence Township Zoning Administrator copies of the same.

Section 2.23 Floodplain

- A. The provisions of this Section shall apply to any area within the 100-year floodplain as may be identified by a competent engineer, the Michigan Department of Natural Resources or other appropriate agency.
- B. No permanent structures may be constructed within the floodplain. Material and equipment may be stored if not subject to major flood damage and must be firmly anchored to prevent flotation or be easily removable within the time following the flood warning and preceding the actual flood.
- C. Any alteration of the lands, including filling, extraction, grading or scraping shall require the consent and approval, by appropriate permit, of the Michigan Department of Natural Resources.

Section 2.24 Temporary Dwellings

- A. Mobile homes, recreational vehicles and other similar structures or vehicles may be used as a temporary dwelling for a period not to exceed thirty (30) days in a six (6) month period, unless the temporary dwelling is located on a lot on which a permanent dwelling is under construction, in which case the temporary dwelling may be used for up to a one hundred twenty (120) day period.

- B. Such temporary dwellings must be approved by the Building Inspector who shall ensure that all appropriate State, County and Township codes, ordinances and requirements are met. A building permit shall be required and the expiration date of the permit clearly noted.
- C. The placement of the temporary dwelling must be in compliance with all yard and setback requirements of the zoning district in which it is located.

Section 2.25 Private Roads

- A. A private road which serves more than one separately-owned parcel, or more than one dwelling unit shall only be constructed under the following conditions, as a special use requiring prior approval of the Township Planning Commission:
 - 1. The owner(s) of property over which such private road is to be constructed shall be required to record an easement having a width of at least sixty-six (66) feet for roadway purposes, dedicating the use of the same for ingress and egress from a public street for the benefit of the owner and users of the property or properties involved.
 - 2. A roadway maintenance agreement, easement agreement, and deed restrictions shall be recorded in the County Register of Deeds Office for St. Joseph County, Michigan, providing for the perpetual private (nonpublic) maintenance of such roads and/or easements to a necessary and reasonable standard to serve the several interests involved. The easement agreement shall include a provision which provides that owners of any and all of the property using the road shall refrain from prohibiting, restricting, limiting, or in any manner interfering with the normal ingress and egress and use of the road by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitees, tradesmen, and other bound to or returning from any of the properties having a right to use the private road.
 - 3. All lots served by a private road must meet the Zoning Ordinance district requirements in which they exist. Setbacks shall be measured from the edge of the private road right-of-way.
 - 4. The private road shall have a name and street sign consistent with the St. Joseph County Road Commission standards. A location map of the private road and street name shall be submitted to the Township Fire Department, St. Joseph County Sheriff Department, St. Joseph County Land Resource Department, and any emergency service serving Florence Township.
 - 5. Prior to the commencement of any such private road development, the developer shall submit in writing to the Township Planning Commission all of the foregoing required documents, construction plans, and private road location with respect to nearby public road for the Planning Commission's review with respect to the granting or denial of the special use application. The Planning Commission shall conduct a special use hearing in accordance with the statute and the Township Zoning Ordinance (see required Site Plan Review procedure in Article 14). The Township Planning Commission shall consider the factors contained in the Zoning Enabling Act, being PA 110 of 2006, as amended concerning the issuance of a special use permit for the private road in question.

Section 2.26 Additional Requirements-Mobile/Manufactured Homes

A. General Provisions

No person shall occupy or permit the use of occupancy of a mobile home as a dwelling within the Township not designated as a mobile home park unless:

1. Said mobile home, the placement thereof, and the premises upon which it shall be located shall meet all requirements of the Township Zoning Ordinance relating to the uses, size of premises, floor area, minimum width, setback, side lot and rear lot requirements specified for the particular zoning district, in which said premise is situated; and
2. Said mobile home shall be connected to potable water and sanitary sewage disposal infrastructure (including wells and septic) as approved by the health agency having jurisdiction. If public water and sanitary sewage disposal facilities is/are available to said premises, said mobile home shall be connected thereto.

B. Foundations

1. Mobile homes may be installed upon a basement, provided the foundation complies with building code requirements for single-family dwellings, and meets the manufacturer's specifications for pillar placement and imposed load capacity. Each mobile home shall be secured to the foundation by an anchoring system or device complying with the rules and regulations of State Construction Code. In the event the manufacturer's recommended specifications exceed the specifications for connections provided herein, the manufacturer's specification shall in all cases be complied with.
2. Mobile homes without a basement shall be installed upon a permanent foundation constructed on-site in accordance with the State Construction Code for conventionally-constructed single-family dwellings. In addition, a skirting of masonry, brick, or concrete blocks shall be vented. Louvered or similar vent shall be, at a minimum 600 square inches per 1,000 square feet of living space. A minimum of one vent shall be placed at the front and rear of the mobile home, and two vents shall be placed on each exposed side. An access panel of sufficient size to allow full access to utility hook-ups located beneath the mobile home shall be installed in the rear section of the skirting. Each mobile home shall be secured to the foundation by an anchoring system or device complying with the rules and regulations of the State Construction Code. In the event the manufacturer's recommended installation specifications exceed the minimum specifications for connections provided herein, the manufacturer's specifications shall in all cases be complied with.
3. All construction herein required shall be commenced only after a building permit has been obtained in accordance with the building code applicable within the Township.
4. Construction of, and all plumbing, electrical apparatus, and insulation within and connected to said mobile home shall be of a type and quality conforming to the current United States Department of Housing and Urban Development mobile home construction and safety standards (24CRF3280), and as from time to time amended.
5. If placed within a flood zone, said mobile home shall meet all requirements for construction of dwellings on-site within said zone.

6. Said mobile home shall meet or exceed all roof snow load and strength requirements imposed by the said United States Department of Housing and Urban Development mobile home construction and safety standards.

C. Aesthetic Compatibility

1. The foregoing requirements of Section 5.8 notwithstanding, the placement and use of a mobile home in any zoning district within the Township shall be aesthetically compatible in design and appearance with conventionally constructed, on-site, single-family dwellings, including, where appropriate, a roof overhang, a front and rear or front and side exterior door, permanently attached steps or porch areas where an elevation differential requires the same. At a minimum, the wheels and towing mechanism of any mobile home shall be removed, and the underside or chassis of the mobile home shall be completely enclosed and connected to the foundation, and said mobile home shall be placed upon the property in such a way that its appearance shall be compatible with single-family dwellings constructed on-site within said districts.

Any determination of aesthetic compatibility shall be based upon the standards set forth in this section, as well as the character, design, and appearance of one or more residential dwellings to the extent of not less than twenty percent (20%) of lots situated within said area, or where said area is not so developed, by the character, design, and appearance of one or more residential dwellings located outside of mobile home parks of the Township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, relief from the common or standard design home.

2. The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Inspector upon review of the plans submitted for a particular dwelling.

D. Additions

1. All pre-manufactured rooms or other area additions to a mobile home shall comply with the standards of construction provided for in this ordinance for mobile homes, and shall be installed upon a permanent foundation as provided herein for the principal dwelling. Conventionally constructed additions to mobile homes shall comply in all respects with the applicable building codes.

E. Definition

1. As used herein, the term "mobile home" shall mean a movable or portable dwelling constructed to be towed on its own chassis, and designed for permanent year-round living as a single-family dwelling, provided that the term "mobile home" shall not include motor homes, campers, recreational vehicles (whether licensed or not as motor vehicles), or other transportable structures designed for temporary use, which are not designed primarily for permanent residence and connection to sanitary sewage, electrical power, potable water and utilities.

F. Certificate of Approval

1. No person shall occupy any mobile home as a dwelling within the Township outside of a licensed mobile home park until a certificate of approval shall be issued by the building official or Zoning Administrator,

which permit shall indicate satisfactory compliance with all requirements of the Township Zoning Ordinance and Building Code.

Section 2.27 Additional Requirements - Keeping of Animals in Florence Township

A. Animals allowed as specified for various zoning districts

Animals may be possessed, kept or raised in the various zoning districts for any hobby, pleasure, commercial or other purpose, as specified and regulated in this Section.

B. Definitions (see Article 3: Animal for specific definition by type)

C. Exotic Animals: Requirements

Exotic animals are not allowed upon any premises in any zoning district, except in conjunction with the following situations:

1. A public zoo, or other educational exhibition sponsored by a governmental entity
2. A bona fide licensed circus

D. Wild Animals

Wild animals are not allowed to be confined upon any premises in any zoning district, except in conjunction with the following situations:

1. A public zoo, or other educational exhibition sponsored by a governmental entity
2. A bona fide licensed circus
3. Pursuant to a possession permit issued by the Michigan Department of Natural Resources authorizing temporary non-commercial shelter and/or treatment for an injured or abandoned wild animal until the animal can feasibly be released from captivity.
4. An Animal Hospital in the AG Agricultural District, the C Commercial District and the I Industrial District, as a special land use.

E. Domestic Animals

Domestic Animals are allowed as follows:

1. AG Agricultural District

- a. Dogs or cats for personal, domestic ownership (not for commercial sale) plus a reasonable number of rabbits not creating nuisance or other detrimental conditions, are allowed as an accessory use to a permissible dwelling on the premises; plus the litters of same in excess of the limit, for not more than 6 months after birth.

- b. Caged, domestic birds; caged, non-poisonous snakes and lizards; caged insects; and other caged, small domestic animals (such as hamsters, mice, guinea pigs and pot-bellied pigs); and fish, are allowed as an accessory use to a permissible dwelling on the premises.
- c. A Kennel is allowed in the AG Agricultural District, C Commercial District and I Industrial Districts as a special land use.
- d. Domestic animals are also allowed in the same situations designated for wild animals in Section 2.27 D, subsections 1 and 2.

2. Residential Zoning Districts

- a. Dogs or cats for personal, domestic ownership (not for commercial sale) plus a reasonable number of rabbits not creating nuisance or other detrimental conditions, are allowed as an accessory use to a permissible dwelling on the premises; plus the litters of same in excess of the limit, for not more than 6 months after birth.
- b. Caged, domestic birds; caged, non-poisonous snakes and lizards; caged insects; and other caged, small domestic animals (such as hamsters, mice, guinea pigs and pot-bellied pigs); and fish, are allowed as an accessory use to a permissible dwelling on the premises.

3. Commercial and Industrial Districts

- a. Not more than three (3) confined guard dogs are allowed on any non-residentially used premises.
- b. Domestic animals are allowed in conjunction with any use allowed within these districts as to which domestic animals are typically associated.

- 4. A Domestic Animal Rescue is permitted as a Home Occupation in all districts which permit Home Occupation as a special land use.

F. Farm Animals

- 1. AG Agricultural Districts: In the Agricultural zoning districts, farm animals are allowed as follows:

- a. The keeping of farm animals is a permitted use as part of agriculture or accessory to a permissible dwelling, subject to the following requirements:

1) The recommendations in the most recent Generally Accepted Agricultural and Management Practices for Manure Management and Utilization adopted by the Michigan Agriculture Commission, and in accordance with such additional rules, regulations and guidelines as may from time to time be established by the Michigan Agriculture Commission or other appropriate State Agency in accordance with 1981 Public Act 93, as amended (Michigan Right To Farm Act).

- a) The operation shall at all times comply with the recommendations set forth in the most recent Generally Accepted Agricultural and Management Practices for Management and Utilization adopted by the Michigan Agriculture Commission, and in accordance with such additional rules, regulations and guidelines as may from time to time be established by the Michigan Agriculture

Commission or other appropriate State agency in accordance with 1981 Public Act 93, as amended (Right to Farm Act).

- b) Unless an alternative application is specifically permitted under the Generally Accepted Agricultural and Management Practices for Manure Management, animal waste shall only be applied by subsurface injection within the setback areas prescribed in the Ordinance.
- c) In conjunction with Animal Clinics in the AG Agricultural District as a special land use.
- d) Commercial Riding Stable is allowed in the AG Agricultural District as a special land use.
- e) Unless otherwise allowed under the Right to Farm Act, farm animals in this district are allowed as follows:

2) Large farm animals are allowed as an accessory use to a dwelling on the premises, subject to all applicable provisions of this Ordinance, including the following density, setback, and other requirements.

- a) The premises shall have a lot area of at least two acres.
- b) The permissible number of large farm animals is as follows:
 - i. Horses: One (1) per two (2) acres.
 - ii. Cattle: One (1) per two (2) acres.
 - iii. Swine: One (1) per two (2) acres.
 - iv. Goats: Two (2) per two (2) acres.
 - v. Sheep: Two (2) per two (2) acres.
- c) Barns, shelters or pens for holding livestock, and paddocks and riding rings, shall be located at least fifty (50) feet from all adjoining property lines.
- d) Animal waste storage areas shall be located at least one hundred fifty (150) feet from all existing residences on adjacent properties, and at least fifty (50) feet from all adjoining property lines. Waste shall be properly disposed of at appropriate intervals, sufficient to avoid the creation of obnoxious odors or insect problems perceptible beyond the boundaries of the subject property. Odors, dust, noise and drainage shall be controlled so as not to become a nuisance, hazard or annoyance to adjoining residents or the general public.

3) Small farm animals are allowed as an accessory use to a dwelling on the premises, subject to all applicable provisions of this Ordinance, including the following density, setback and other requirements:

- a) No more than twenty (20) chickens or other poultry/fowl (combined) shall be allowed, and no more than twenty (20) turkeys, ducks, geese or rabbits (combined) shall be allowed.
- b) The provisions of Section 2.27 F, subsection 2 a, b.

2. HDR High Density Residential District and MHP Mobile Home Park Residential District: In these zoning districts, farm animals are not allowed.

3. Commercial and Industrial Districts: In these zoning districts, farm animals are not allowed, except in conjunction with the following situations;

- a. An Animal Hospital as a special land use.
- b. Agricultural pursuits otherwise specifically permitted in these zoning districts.

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